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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
08/861,943	05/22/97	MIYAMOTO	H YAMAP0398USA

IM71/0622
GREGORY TUROCY
RENNER OTTO BOISSELLE & SKLAR
1621 EUCLID AVENUE
NINETEENTH FLOOR
CLEVELAND OH 44115-2191

EXAMINER	
DIXON, M	
ART UNIT	PAPER NUMBER
1774	5
DATE MAILED: 06/22/98	

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

OFFICE ACTION SUMMARY

- ☐ Responsive to communication(s) filed on _____
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

- ☒ Claim(s) 43-51, 56 is/are pending in the application.
- Of the above, claim(s) 50, 51 is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 43-49, 56 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claims _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☐ received in Application No. (Series Code/Serial Number) _____
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

- ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- ☒ Notice of Reference Cited, PTO-892
- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s) _____
- ☐ Interview Summary, PTO-413
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152

Merrick Dixon

MERRICK DIXON
PRIMARY EXAMINER
GROUP 1300

-- SEE OFFICE ACTION ON THE FOLLOWING PAGES --

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The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

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Applicant's election of claims 43-49 and 56 in Paper No. 4 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

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The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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Claims 43-49 and 56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Peeters (467077) in view of Arai et al(5705247).

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The primary reference to Peeters teaches the claimed invention comprising an apparatus for fabricating an optical information medium including a means for applying a radiation curable resin on a surface with a stopper means (12A), means for placing additional substrate material on the surface, means to rotate the resulting layered material- fig 3; col 2, line 66-col 3, line 16; col 6, lines 31-68; col 7, lines 61-68; col 9, lines 46-55. The primary reference fails to teach the aspect of providing means to irradiating the resin material. The secondary reference to Arai et al, however, teaches that it is known in the art to provide facilitate the irradiating of curable material similarly taught in the primary reference - col 3, lines 44-58. It would have been obvious to one of ordinary skill in the art at the time the invention is made to combine the teachings of the secondary reference to Arai et al and facilitate similar irradiating in the primary reference via adequate means in the absence of unexpected results. Concerning claims 44,45,47-49, the primary reference teaches similarly claimed limitations-col 2, line 68. Concerning claims 46 and 56, the secondary reference teaches the claimed limitation- see fig 6;col 3, lines 44-58.

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The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Tsukada et al(5296340),Kalyanaraman et al(5023167),Arai et al(5549952), and Arai et al(5470691) are cited of interest for their respective teachings as set forth and additionally to teach the state of the art

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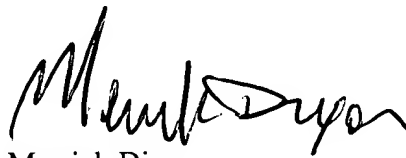
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Crystal Mall 1 Fax Center

A facsimile center has been established in Crystal Plaza 3. The hours of operations are Mondays through Friday, 8:45 to 4:45 PM. This new location should be used in all instances when faxing any correspondence to Group 1300. The Patent Examining Fax Center new telecopier numbers are (703) 305-3599 for all After Finals and 703-305-5408 for all others. Use of the new Crystal Plaza 3 center will facilitate rapid delivery of materials to the group. The faxing of all papers must conform with the notice published in the Official Gazette, 1096 O.G. 30 (November 15, 1989).

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Any questions concerning this communication should be directed to Examiner Merrick Dixon at 703-308-0013.

A handwritten signature in black ink, appearing to read 'Merrick Dixon', is positioned above the printed name.

Merrick Dixon

Primary Examiner

Group 1300